

AO 441 (Rev. 5/85) Third Party summons in a Civil Action

United States District Court
Northern District of Oklahoma

PLAINTIFF
STATE OF OKLAHOMA, ex rel., et al.

V. DEFENDANT AND THIRD PARTY PLAINTIFFS

**ALIAS THIRD PARTY SUMMONS IN A
CIVIL ACTION**

TYSON FOODS, INC. et al.

V. THIRD PARTY DEFENDANT

CASE NUMBER: 05-CV-0329-TCK-SAJ

City of Tahlequah, et al.

To: (Name and Address of Third Party Defendant)
Eurma White individually
606 W. Bryan
Westville, OK 74965

YOU ARE HEREBY SUMMONED and required to file with the clerk of this court and serve upon

PLAINTIFF ATTORNEY (name and address)	DEFENDANT AND THIRD PARTY PLAINTIFFS ATTORNEY (name and address)
Douglas Allen Wilson Melvin David Riggs Richard T. Garren Sharon K. Weaver Riggs Abney Neal Turpen Orbison & Lewis 502 West 6 th Street Tulsa, OK 74119-1010	A. Scott McDaniel Joyce, Paul & McDaniel PLLC 1717 South Boulder, Suite 200 Tulsa, OK 74119

an answer to the third-party complaint which is herewith served upon you within **20days** after the service of this summons upon you exclusive of the date of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the third-party complaint. There is also served upon you herewith a copy of the complaint of the plaintiff. You have the option of answering or not answering the plaintiff's complaint *unless* (1) this is a case within Rule 9(h) Federal Rules of Civil Procedure, *and* (2) the third-party plaintiff is demanding judgment against you in favor of the original plaintiff under the circumstances described in Rule 14(c) Federal Rules Civil Procedure, in which situation you are required to make your defenses, if any, to the claim of plaintiff as well as to the claim of the third party plaintiff.

Phil Lombardi
Clerk

MAY 3 2006
Date


(By) DEPUTY CLERK

RETURN OF SERVICE

Service of the Summons and Complaint was made by me :

DATE

May 9, 2006

NAME OF SERVER (PRINT)

REX L GUINN

TITLE

District Court Officer

Check one box below to indicate appropriate method of service

☒ Served personally upon the defendant. Place where served:

RT2 Box 119, Westville OK 74965

☐ Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.

Name of person with whom the summons and complaint were left:

☐ Returned unexecuted:☐ Other (specify):

STATEMENT OF SERVICE FEES

TRAVEL

SERVICES

TOTAL

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on

Date

May 9, 2006

Signature of Server

Address of Server

P.O. Box 911, Stilwell OK 74960